

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBERT F. SARTORI,

Plaintiff,

vs.

No. CIV 12-0515 JB/LFG

SUSAN C. LITTLE & ASSOCIATES, P.A.,
and BAC HOME LOANS SERVICING, LP,

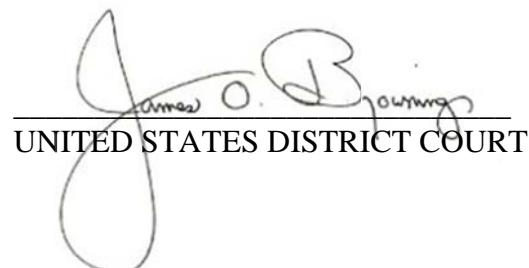
Defendants.

**MEMORANDUM OPINION AND ORDER ADOPTING REPORT AND
RECOMMENDATION THAT**
**SUMMARY JUDGMENT BE GRANTED IN FAVOR OF DEFENDANT LITTLE &
ASSOCIATES, AND THAT PLAINTIFF'S AMENDED COMPLAINT AGAINST**
LITTLE & ASSOCIATES
BE DENIED AND DISMISSED, WITH PREJUDICE

THIS MATTER comes before the Court on the Plaintiff Opposition and Objections to Report and Recommendation to Grant Defendant Susan C. Little & Associates, PA's Motion for Summary Judgment, filed April 19, 2013 (Doc. 165)(“Objections”). The Honorable Lorenzo F. Garcia, United States Magistrate Judge, proposes in his Report and Recommendation, filed April 3, 2013 (Doc. 155)(“R&R”), that the Court grant summary judgment in favor of Defendant Susan C. Little & Associates, P.A. (“Little & Associates”) and dismiss Plaintiff Robert F. Sartori’s Amended Complaint, filed December 2, 2011 (Doc. 29), and all claims asserted against Little & Associates, with prejudice. The Court conducted a de novo review of those parts of the Magistrate Judge’s R&R to which Sartori objects. See Fed. R. Civ. P. 72(b)(3). In resolving the Objections, the Court considered all pertinent pleadings with exhibits. There is no need for a hearing.

After careful review of Sartori's Objections, the Court concludes they consist of Sartori's attempt to re-argue the grounds set out in the Plaintiff's Memorandum in Opposition to Susan C. Little & Associates, PA's Motion for Summary Judgment, filed February 22, 2013 (Doc. 128). Judge Garcia carefully considered and rejected all those same arguments in his R&R. This Court, also, reviewed each of Sartori's Objections, but concludes that they provide no grounds to reject or modify Judge Garcia's recommendation to grant summary judgment in favor of Little & Associates and to dismiss Sartori's claims in the Amended Complaint against Little & Associates.

IT IS ORDERED that: (i) the Magistrate Judge's Report and Recommendation, filed April 3, 2013 (Doc. 155), is adopted; (ii) the Plaintiff's Opposition and Objections to Report and Recommendation to Grant Defendant Susan C. Little & Associates PA's Motion for Summary Judgment, filed April 19, 2013 (Doc. 165), are overruled; and (iii) the Defendant Susan C. Little & Associates, LTD.'s Motion for Summary Judgment, filed February 6, 2013 (Doc. 116), is granted. Plaintiff Robert F. Sartori's claims against Defendant Susan C. Little & Associates PA in the Amended Complaint, filed December 29, 2011 (Doc. 29), are dismissed with prejudice.



UNITED STATES DISTRICT COURT

Parties and Counsel

Robert F. Sartori
McIntosh, New Mexico

Plaintiff pro se

Daniel W. Lewis
Christopher P. Winters
Allen, Shepherd, Lewis, Syra & Chapman, P.A.
Albuquerque, New Mexico

Attorneys for Defendant Susan C. Little & Associates, PA

George D. Hembree, III
John T. Rouse
McGlinchey Stafford
Jackson, Mississippi

-- and --

Jason C. Bousliman
Lewis and Roca, LLP
Albuquerque, New Mexico

Attorneys for Defendant BAC Home Loans Servicing, LP